



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

Project Name: Preski/Gonya Tentative Parcel Map

Project Number(s): TPM 20720RPL<sup>2</sup>/ER 03-19-002

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for
1. California Environmental Quality Act Mitigated Negative Declaration Findings:  
  
Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
  2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGICAL REQUIREMENTS [DPLU]

1. Prior to issuance of any permit and prior to recordation of the parcel map, the applicant shall grant by separate document to the County of San Diego and the California Department of Fish and Game an open space easement, or grant by separate document to the California Department of Fish and Game, a conservation easement, as shown on the Tentative Parcel Map dated **March 24, 2009**, on file with the Department of Planning and Land Use as Environmental Review Number 03-19-002. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. **[DPLU, FEE]**

The sole exception(s) to this prohibition is:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.

- c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
2. Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Parcel Map dated **March 24, 2009** on file with the Department of Planning and Land Use as Environmental Review Number 03-19-002. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
  - a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
  - b. Decking, fences, and similar facilities.
  - c. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
3. Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, and prior to recordation of the parcel map, provide evidence to the satisfaction of the Director of Planning and Land Use, that the open space signage has been installed. The applicant shall submit a statement from a California Registered Engineer, or licensed surveyor that all open space signs along the open space boundary of lots 1 and 2 as shown on the Open Space Fencing Plan dated August 25, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 03-19-002 have been installed. **[DPLU, FEE]**
  - a. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources**

**Area Restricted by Easement**

Entry without express written permission from the County of San Diego

is prohibited. To report a violation or for more information about easement

restrictions and exceptions contact the County of San Diego, Department of Planning and Land Use

Reference: TPM 20720; Environmental Review Number 03-19-002.

4. Prior to the approval of the grading, improvement, or building plans, submit to the satisfaction of the Director of Planning and Land Use; a statement from a California Registered Engineer, or licensed surveyor that temporary construction fences have been placed in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing condition shall be released on a parcel-by-parcel basis. **[DPLU, FEE]**
5. Prior to the issuance of any Building, grading, or construction permit, or approval of any grading, improvement, or building plans, provide evidence to the satisfaction of the Director of Planning and Land Use the grading, and or improvement plans, and or building plans show permanent fences or walls along the open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Plan dated August 25, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 03-19-002. **[DPLU, FEE]**
  - a. The fence or wall shall be a minimum of four feet (4') high and consist of three strand wire fencing. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.

**(Biological Notes)**

6. Prior to the approval of any grading, improvement, or building plans and issuance of any permit, provide evidence to the satisfaction of the Director of Planning and Land Use or Public Works, that the following specific environmental notes have been placed on any of the following plans as applicable: grading, and or improvement plans, and or building plans:
  - a. Temporary construction fencing is required in all locations of the project where proposed grading or clearing is within 100 feet of an

open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity.

- b. Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of permanent fencing or walls is required. Provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been installed along the biological open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Plan dated August 25, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 03-19-002. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- c. Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building, placement of open space signs is required. Provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been installed along the biological open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Plan dated August 25, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 03-19-002. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- d. Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of Southern mixed chaparral habitat during the breeding season of migratory birds. This is defined as occurring between February 15 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nesting migratory birds are present in the vicinity of the brushing, clearing or grading.

C. CULTURAL RESOURCE REQUIREMENTS: [DPLU]

Prior to approval of any grading or improvement plans, or issuance of any grading permits or construction permits, the applicant shall implement the following conditions relating to the grading monitoring program, to mitigate potential impacts to undiscovered buried archaeological resources on the Project

site. The following conditions shall be implemented to the satisfaction of the Director of the Department of Planning and Land Use: **[DPLU, FEE X2]**

1. Provide evidence that a County approved archaeologist ("Project Archaeologist") has been contracted to implement a grading monitoring and potential data recovery program that complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use. Also, provide evidence that a Native American Monitor has been contracted to monitor grading, or evidence that no Native American Monitor was available, in which case the Project Archaeologist shall perform that function.
2. The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.
3. Prior to the approval of any plans, issuance of any permit, provide evidence to the satisfaction of the Director of Public Works (DPW) and/or the Director of Planning and Land Use that the following "Specific Environmental Notes" have been placed on the grading, and/or improvement plans: **[DPLU, FEE]**

**(Cultural)**

- a. "Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity."
- b. "The County approved Project Archaeologist, the Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program." **[DPLU, FEE]**
- c. "The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements."

- d. "During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist."
- e. "In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the designated Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods."
- f. "If any human bones are discovered, the Project Archaeologist shall contact the County Coroner. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains."
- g. "The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction." **[DPLU, FEE]**

- h. "Prior to rough grading inspection sign-off for each phase, the Project Archaeologist shall provide evidence that the field grading monitoring activities have been completed. Evidence shall be in the form of a letter to the Director of the Department of Planning and Land Use." **[DPLU, FEE]**
- i. "Prior to Final Grading Release for each phase, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following:" **[DPLU, FEE X2]**
  - (a) "Department of Parks and Recreation Primary and Archaeological Site forms."
  - (b) "Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid."
  - (c) "If no cultural resources are discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Archaeologist."

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.



**TPM CONDITIONS:**

- B. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

THIS PROJECT IS REQUIRED TO PAY THE TRANSPORTATION IMPACT FEE (TIF) IN ACCORDANCE WITH COUNTY ORDINANCE # 9712

1. THE PARCEL MAP SHALL SHOW AN ACCURATE AND DETAILED VICINITY MAP.
2. SIGHT DISTANCE
  - a. Prior to recordation of the Parcel Map, a registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that physically, there is a minimum unobstructed sight distance in both directions along Skyline Truck trail from the private easement road serving the project, per Section 6.1.E of the County Public Road Standards. Any vegetation/topography currently obstructing the sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. All of the foregoing shall be to the satisfaction of the Department of Public Works.
3. PRIVATE ROAD EASEMENTS
  - a. The Parcel Map shall show a thirty-eight foot (38') minimum radius cul-de-sac at the terminus of the onsite private road easement, to the satisfaction of the San Diego Rural Fire Protection District and the Department of Public Works.
  - b. The Parcel Map shall show a minimum forty-foot (40') wide onsite private road easement from the cul-de-sac to Skyline Truck Trail.
  - c. The onsite private road easement shall intersect Skyline Truck trail within twenty degrees (20°) of perpendicular.
4. ROAD DEDICATIONS
  - a. Offer to dedicate the right-of-way required to complete a thirty-foot (30') wide, one-half right-of-way on each side of centerline, plus the

right to construct and maintain slopes and drainage improvements as required beyond the thirty foot (30') limit for that portion within the land division for Skyline Truck Trail. The Parcel Map shall be prepared to show the offer being accepted.

- b. Grant an Irrevocable Offer to Dedicate the right-of-way required to complete a thirty-five foot (35') wide, one-half right-of-way width on each side of the ultimate centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-five foot (35') limit for that portion within the land division for Skyline Truck Trail (SA 390), in accordance with Public Road Standards for a Collector Road with bike lanes.
- c. Any offer of dedication or grant of right-of-way shall be free of any burden or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required, per Section 81.705(a) of the County Code at the time of recordation of the Parcel Map. All easements of any kind shall be shown.
- d. The subdivider shall relinquish access rights onto Skyline Truck Trail and Skyline Truck Trail (SA 390) except for one (1) opening for the private easement road, to the satisfaction of the Department of Public Works.

5. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/  
DEVELOPMENT IMPACT FEES

- a. The subdivider shall authorize Special Districts to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District. The subdivider shall cover the cost of processing by paying a minimum deposit at the Land Development Counter Services.
- b. The subdivider shall provide for maintenance of the onsite private easement road that serves the project through a private road maintenance agreement.

6. FACILITY/UTILITY ARRANGEMENTS

- a. Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, the subdivider shall provide the County of San Diego, Department of

Public Works, with letters from serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels being created. No letter will be required from AT&T/SBC.

- b. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature.

## 7. CIRCULATION ELEMENT ROADS

- a. Prior to preparation of the Parcel Map, the engineer or surveyor preparing the map shall contact the County of San Diego, Department of Public Works Route Locations Section, to determine the desired location of the centerline for Skyline Truck Trail (SA 390), which is shown on the Circulation Element of the County General Plan as a Collector Road with bike lanes. The following shall be shown on the Parcel Map:
  - (1) The centerline location as approved by the County of San Diego, Department of Public Works Route Locations.
  - (2) The width of the right-of-way which is forty-seven feet (47') from the centerline and is identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening." The additional five feet (5') is for a bicycle facility.
  - (3) A building line which is seventy-seven feet (77') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."
  - (4) Show the ultimate drainage and slope limits on the Parcel Map. A profile and cross-sections sufficient to verify these limits shall be submitted to the County of San Diego, Department of Public Works, for review and approval.

8. FACILITY/UTILITY ARRANGEMENTS [DPW] [DPLU]

- a. Certification by the Department of Environmental Health with respect to water supply and sewage disposal shall be shown on the Parcel Map. [DPLU]
- b. Prior to approval of a Parcel Map, the subdivider shall provide evidence that the existing shed shown on the Tentative Parcel Map (proposed Parcel 2) labeled “to be removed” has been removed to the satisfaction of the Director of Public Works. In addition, the existing mobile home on proposed Parcel 1 is labeled “to be removed or septic permit obtained prior to recordation of Parcel Map” must provide either means of evidence to the Director of Public Works.

9. NOISE PROTECTION EASEMENT [DPLU]

- a. On the Parcel Map, grant to the County of San Diego a perpetual Noise Protection Easement, as shown on Tentative Parcel Map 20720. The easement shall be placed over the first 200 feet from the centerline of Skyline Truck Trail on portions of Parcel 1. The easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected Parcel.  
**[DPLU, FEE X2]**

Said Noise Protection easement requires that before the issuance of any building or grading permit for any residential use within the noise protection easement located on portions of Parcel 1, the applicant shall:

- (1) Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Skyline Truck Trail road shall use a traffic flow equivalent to a Level of Service “C” traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.

- (2) Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

- C. THE FOLLOWING IMPROVEMENTS MAY BE COMPLETED PRIOR TO RECORDING OF A PARCEL MAP OR THEY MUST BE LISTED ON THE PARCEL MAP AND THE SUBDIVIDER SHALL EXECUTE A "COVENANT OF IMPROVEMENT REQUIREMENTS" WHICH SHALL LIST THE CONDITIONS THAT REMAIN TO BE COMPLETED. THE COVENANT SHALL BE RECORDED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, PRIOR TO RECORDING THE PARCEL MAP. THE COVENANT SHALL BE NOTED ON THE PARCEL MAP.

THE COVENANT OF IMPROVEMENT REQUIREMENTS SHALL NOTE THE ESTIMATE OF COST TO INSTALL AND/OR CONSTRUCT ANY DEFERRED IMPROVEMENTS. PLANS OF SUFFICIENT DETAIL SHALL BE PREPARED FOR THE PURPOSE OF PROVIDING THE REQUIRED ESTIMATE OF THE COST FOR THE PRIVATE EASEMENT ROADS AND PRIVATE FACILITIES. THE PLANS SHALL INCLUDE A SIGNED STATEMENT BY THE PRIVATE ENGINEER-OF-WORK STATING THAT THE PLANS ARE FOR THE PURPOSE OF ESTIMATING THE APPROXIMATE COSTS OF DEFERRED IMPROVEMENTS. THE ESTIMATE SHALL HAVE THE ENGINEER'S SIGNATURE AND STAMP ON THE FRONT PAGE ALONG WITH A STATEMENT THAT IT IS THE ENGINEER'S ESTIMATE OF THE APPROXIMATE COST AS OF THE DATE THE ESTIMATE WAS PREPARED FOR THE PRIVATE ROAD AND FACILITIES REQUIRED BY THE FINAL NOTICE OF APPROVAL AND THE SAN DIEGO COUNTY STANDARDS FOR PRIVATE STREETS. SAID COVENANT SHALL BE TITLED "COVENANT OF IMPROVEMENT REQUIREMENTS, A BUILDING PERMIT PROHIBITION".

IF THE COVENANT HAS BEEN RECORDED, NO BUILDING PERMIT AND NO FURTHER GRANT OF APPROVAL FOR DEVELOPMENT MAY BE ISSUED UNTIL THE SUBDIVIDER PRESENTS A COPY OF THE RELEASE OF IMPROVEMENT REQUIREMENTS RECORDED BY THE DEPARTMENT OF PUBLIC WORKS, STATING THAT ALL OF THE REQUIRED IMPROVEMENTS LISTED IN THE COVENANT OF IMPROVEMENT REQUIREMENTS AND NOTED ON THE PARCEL MAP HAVE BEEN COMPLIED WITH, EXCEPT A GRADING OR CONSTRUCTION PERMIT AND/OR A PERMIT TO INSTALL UTILITIES WITHIN THE PRIVATE EASEMENT MAY BE ISSUED. (NOTE: FOR WATER STORAGE FACILITIES AND/OR FUEL BREAKS, A RELEASE OF IMPROVEMENT REQUIREMENTS IS ONLY REQUIRED TO STATE THAT THE IMPROVEMENTS HAVE BEEN COMPLIED WITH FOR THE PARTICULAR PARCEL FOR WHICH A BUILDING PERMIT IS BEING REQUESTED.)

1. PRIVATE ROAD IMPROVEMENTS

- a. The cul-de-sac shall be graded to a radius of thirty-eight feet (38') and improved with asphalt concrete to a radius of thirty-six feet (36'), to the satisfaction of the San Diego Rural Fire Protection District and the Department of Public Works.
- b. The onsite private easement road, from the cul-de-sac to Skyline Truck Trail; shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply, to the satisfaction of the San Diego Rural Fire Protection District and the Department of Public Works.
- c. Plans and a processing deposit for the private road improvements, as determined by the County of San Diego, Department of Public Works, shall be submitted to the Improvements and Grading Group of the County of San Diego, Department of Public Works. All improvement plans shall be designed in accordance with County Standards for Private Roads.
- d. Prior to construction of private road improvements, the subdivider shall notify the County of San Diego, Department of Public Works, submit copies of the blueline plans, and post an inspection deposit.
- e. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The onsite private easement road, including all slopes and the cul-de-sac, from the cul-de-sac to Skyline Truck Trail, is constructed entirely within the easement, including drainage structures, for the benefit of the land division."  
NOTE: If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or slope rights/a letter of permission shall be obtained/ granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."
- f. The structural section for the private road shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, prior to construction per Section 3.11 of the San Diego County Standards for Private Roads.

- g. A permit shall be obtained from the County of San Diego, Department of Public Works for the improvements to be made within the public right-of-way. The connection of the private easement road to the County road will have to match the construction of the public road. A copy of the permit and evidence that all the requirements of the permit have been met shall be submitted to the Land Development Counter Services of the County of San Diego, Department of Public Works.

2. FACILITY/UTILITY IMPROVEMENTS [DPLU]

- a. Design of water supply, type, and location of fire hydrant(s) must be submitted to the Rural Fire Protection District and DPLU Fire Marshals for approval prior to the issuance of a building permit for any parcel created by this subdivision.

3. RESOURCE PROTECTION ORDINANCE/STEEP SLOPES [DPLU]

Prior to issuance of grading or construction permits or on the Parcel Map, whichever comes first, the applicant shall:

Grant to the County of San Diego an open space easement over portions of Parcel 1 and Parcel 2 as shown on TPM 20720RPL<sup>2</sup>, dated **March 24, 2009**. This easement is for the protection of steep slope lands and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.

The sole exceptions to this prohibition are as follows:

- a. Clearing of vegetation to protect existing or proposed structures that are in potential danger from fire, provided that the area of such clearance is the minimum necessary to comply with applicable fire codes or written orders of fire safety officials and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and provided further that the natural landform is not reconfigured.
- b. Establishment or expansion of an agricultural operation, provided that the establishment or expansion of the operation must be completed in accordance with all applicable federal, state and local regulations (e.g., Clearing and Grading permit from the County of

San Diego). The following shall be considered an agricultural operation for purposes of this exception: an operation that includes the cultivation, growing, and harvesting of animals, nursery products and flower crops; fruit and nut crops; livestock and poultry products; vegetable crops; livestock and poultry (including their associated enclosures); field crops; apiary products; timber and firewood; and nonbearing fruit and nut crops.

- c. Construction, use, and maintenance of wells and septic systems, on Parcels 1 and Parcel 2 in the location shown on TPM 20720RPL<sup>2</sup>, dated July 15, 2008.
- d. Construction, use, and maintenance of a (public street, private road, or driveway).

D. WAIVER AND EXCEPTIONS [DPW] [DPLU]

- 1. This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County of San Diego Subdivision Ordinance, the County of San Diego Public and Private Road Standards and all other required ordinances of San Diego County except for a waiver of County of San Diego Subdivision Ordinance, Section 81.703(a)(1), to improve streets in accordance with San Diego County Standards. This waiver is granted because of the following reasons:
  - a. There are no curbs, gutters, sidewalks, or road widening improvements in the immediate vicinity and widening the road to ultimate width would be inconsistent with the existing roads in the area.
    - (1) Spot improvements would be undesirable because of:
      - (a) Road transitional problems;
      - (b) Drainage pickup and discharge (no continuity); and
      - (c) Utility relocation problems.
- (This refers to Skyline Truck Trail (SA 390).)
- 2. This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County of San Diego Subdivision Ordinance, the County of San Diego Public and Private Road Standards and all other required ordinances of San Diego County except for a waiver or modification of the Private Road Standards to permit a 60' radius and a design speed of 15 mph for the proposed private road.



E. OTHER REQUIREMENTS

1. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the County of San Diego, Department of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811).
2. The Parcel Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Department of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).
3. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Department of Public Works.
4. Low Impact Development (LID) requirements apply to all priority projects, starting March 24, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit: <http://www.swrcb.ca.gov/rwqcb9/programs/stormwater/sd%20permit/r9-2007-0001/Final%20Order%20R9-2007-0001.pdf>

The draft LID Handbook is a great source for LID information and is to be utilized by County staff and outside consultants for implementing LID in

our region. Access the Handbook at the following DPLU web address:  
[http://www.sdcounty.ca.gov/dplu/LID\\_PR.html](http://www.sdcounty.ca.gov/dplu/LID_PR.html)

The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be the most useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. A LID presentation is to be posted on the Project Clean Water Website. For more information contact Christine Sloan, DPW-Watershed Protection Division, work: [\[Christine.Sloan@sdcounty.ca.gov\]](mailto:Christine.Sloan@sdcounty.ca.gov)

5. All plans shall be in conformance with the following:
  - Sections 811.201 through 811.602 of Ordinance No. 8334 pertaining to Flood Hazards
  - Sections 88.100 through 88.500 of Ordinance No. 3172 (amendments by Ordinances No. 5147, 5150, 5406, 5521, 5827, 6051, 7141, 7801, 7986) pertaining to Drainage and Watercourses
  - Sections 87.101 through 87.717 of Ordinance 2925 (amendments by Ordinances No. 3281, through 8691) pertaining to Excavation and Grading
6. The following note shall appear on the Parcel Map:

All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
7. At the time of recordation of the Parcel Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
8. Prior to the approval of the Parcel Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Parcel Map report from a qualified title insurance company.
9. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (**Ordinance**

**No. 9926)** and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

10. Zoning regulations require that each parcel shall contain a minimum net area of 8 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.
11. The subject property is in the (18) Multiple Rural Use Designation of the General Plan and each parcel shall contain a minimum gross area of 4, 8, or 20 acres, depending on the average slope of each proposed parcel. If, as a result of survey calculations or for any other reason, the area of any parcel shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the required minimum, it becomes the responsibility of the subdivider to meet area requirements by lot redesign. The subdivider shall comply with the area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.
12. The subject property proposes to use groundwater as the potable water source for this project. Pursuant to the County's Groundwater Ordinance, No. 7994 (N.S.), each parcel shall contain a minimum gross area of 5 acres. The subdivider shall comply with the area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

April 23, 2009

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

Sami Real, Planning Manager  
Project Planning Division

EG:SR:ms